

Martin Brady
Serial No. 09/228,109

the details of these claims need not be discussed.

Reconsideration is requested of the rejection of claims 3, 7 and 10 through 13 under 35 U.S.C. 103(a). Although these claims differ from one another, the primary issue is whether the secondary references, Davies and Nielsen et al. suggest, teach or provide an incentive which would have motivated an artisan to attach a scissors holder to the can opener shown in the primary reference, Presto. The examiner argues, in effect, that the teachings of the secondary references that their devices could be supported on many (or any) surfaces, was a teaching that a scissors holder be attached to a can opener.

The examiner's reasoning is faulty because the teachings of the secondary references do not include any suggestion for mounting anything on a can opener. That is, the applied references fail to provide any teaching, suggestion or incentive which would have motivated a skilled artisan to mount the devices of the secondary references on a can opener. That teaching comes only from applicant's disclosure.

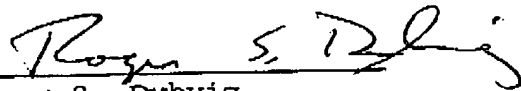
The Board's decision of May 20, 2002, acknowledged that the Hoover device could be attached to any suitable support (as could the Davies device or the Nielsen et al. device), but the Board reasoned that that fact alone does not constitute a teaching,

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suggestion or incentive to modify a can opener such as the Presto can opener. The same reasoning applies to the set of references now relied upon by the examiner.

For the foregoing reasons, all of the claims of this application are deemed allowable. Favorable action is requested.

Respectfully submitted,


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